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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

16 BRIAN BORENSTEIN, an individual,
17
18 Plaintiff,
19 vs.
20 THE ANIMAL FOUNDATION, et al.,
21
22 Defendants.

Case No.: 2:19-cv-00985-CDS-NJK

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO REPLY TO
DEFENDANTS' OPPOSITIONS TO
PLAINTIFF'S RENEWED MOTION TO
REOPEN AND EXTEND DEPOSITION
OF COUNTY'S RULE 30(B)(6)
WITNESS PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE
30(D)(1)**

(FIRST REQUEST)

24 COMES NOW Plaintiff, Brian Borenstein, by and through his counsel, Raelene K.
25 Palmer, Esq. of The Palmer Law Firm, P.C., and Robert S. Melcic, Esq., and hereby moves
26 unopposed for an enlargement of time to reply to Defendants' *Oppositions* [ECFs 369 and 370,
27 respectively] to Plaintiff's *Renewed Motion to Reopen and Extend Deposition of County's Rule*
28 *30(b)(6) Witness Pursuant to Federal Rule of Civil Procedure 30(d)(1)*. This Motion is brought

with the following *Memorandum of Points and Authorities*, the papers and pleadings on file in this case, and any further briefing or oral argument this honorable Court may wish to entertain.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff is seeking a six-day extension, until **Monday, October 9, 2023**, to reply to Defendants' *Oppositions* to Plaintiff's *Renewed Motion to Reopen and Extend Deposition of County's Rule 30(b)(6) Witness Pursuant to Federal Rule of Civil Procedure 30(d)(1)*.

II. RELEVANT PROCEDURAL HISTORY

On September 12, 2023, Plaintiff filed his *Motion to Take Deposition from Clark County Rule 30(b)(6)* as renewed following ECF 359, *Order on Motion to Take Deposition*. Defendant Clark County opposed on September 26, 2023 [ECF 369] and Defendant The Animal Foundation opposed later that same day [ECF 370]. Defendants' *Oppositions* set an original deadline for Plaintiff to reply by October 3, 2023. However, due to additional work in this and in other cases, Plaintiff has been forced to seek an extension.

III. LEGAL ANALYSIS

Federal Rule of Civil Procedure 6(b)(1)(A) provides in pertinent part:

(b) EXTENDING TIME.

(1) *In General*. When an act may or must be done within a specified time the court may, for good cause, extend the time:

(A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires;

Fed. R. Civ. P. 6(b)(1)(A).

A. Plaintiff Has Good Cause for an Extension of Time.

Plaintiff needs additional time to reply and requests until **Monday, October 9, 2023**. Plaintiff has been working on his opposition to the most recent *Motion to Dismiss* in this case.

Also, Plaintiff attended an all-day deposition in this case on October 2, 2023. That and other case matters have led to a situation in which Plaintiff needs an enlargement of time to reply. During the deposition on October 2, all parties agreed to this extension. Thus, this motion is unopposed.

IV. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests the Court to grant him a six-day extension of time to reply to Defendants' *Oppositions* to Plaintiff's *Renewed Motion to Reopen and Extend Deposition of County's Rule 30(b)(6) Witness Pursuant to Federal Rule of Civil Procedure 30(d)(1)*.

Dated this 3rd day of October 2023.

THE LAW OFFICE OF ROBERT S. MELCIC

/s/ Robert S. Melcic

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ORDER

IT IS SO ORDERED.

DATED: October 4, 2023.



Nancy J. Koppe
United States Magistrate Judge